

UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE

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OCS ALTERNATIVE ENERGY AND ALTERNATE USE
PROGRAMMATIC EIS
ARGONNE NATIONAL LABORATORY
PUBLIC COMMENT MEETING

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Tuesday, May 1, 2007

Sam Houston I Room
Airport Marriott Hotel
18700 John F. Kennedy Boulevard
Houston, Texas

The above-entitled meeting was conducted at 7:00
p.m., pursuant to notice, before: JOHN GASPER,
Facilitator, Argonne National Laboratory.

PANEL MEMBERS:

MAUREEN BORNHOLDT, Chief, Minerals Branch, MMS
MARY BOATMAN, Environmental Assessment, MMS

MARK ROUSE, MMS

PUBLIC COMMENT:

WAYNE KROUSE, CEO, Hydro Green Energy

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P-R-O-C-E-E-D-I-N-G-S

7:15 p.m.

MR. GASPER: Okay. Tonight there's several ways to comment -- two ways, actually. You can comment either in writing or you can comment orally. If you're -- if you'd like to comment in writing, we have some comment forms available out at the registration desk; you can either fill those out and hand them in tonight to any one of us who has a name tag, and we'll make sure they get into the public record, or you can go ahead and mail those in to us. And I guess the third way is to visit that website, and you can comment right through the website.

And as far as actually commenting orally tonight, we ask, if you haven't already, if you want to make a comment, please sign up at the registration desk. And then we'll use that sign-up list there to determine who goes first; it'll be first-come first-served. We ask that when your name is called you step up to the podium and do use the microphone. It's important that we get your entire comment.

In fact, we've got a court reporter here who's recording the whole comment period. So if you'll be so kind as to use the microphone so that she can hear, we'd appreciate that.

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1 Please state your name and affiliation if
2 you have one, and initially try to keep your comments
3 to about three minutes so that we can accommodate the
4 huge crowd that's here tonight -- no. Seriously, feel
5 free to speak your mind tonight. We've got plenty of
6 time, and -- but we are interested in hearing comments
7 that you have about the programmatic EIS itself. So
8 if you could focus your comments in that area, we'd
9 appreciate that.

10 If you have any written materials or
11 published materials or anything else you'd like to
12 leave with us, feel free to do that. If -- and,
13 again, anybody with a name tag you can leave that
14 information with.

15 So at this time, we'll go to the
16 registered speaker list. The first speaker is Wayne
17 Krouse from Hydro Green Energy.

18 MR. KROUSE: Thank you for giving me the
19 opportunity to speak. My name's Wayne Krouse; I'm the
20 chairman and CEO and inventor for Hydro Green Energy.
21 We're an ocean current technology firm headquartered
22 here in Houston, Texas. And consequently, we are also
23 members of the National Hydropower Association and
24 members of the Ocean Renewable Energy Coalition. And
25 I am the current chairman of the research and

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1 development committee for the National Hydropower
2 Association.

3 My company is developing ocean current
4 technologies, although, with the past experience of
5 the regulatory uncertainty between FERC and MMS, we
6 had elected to essentially begin deploying our units
7 in rivers because it's a much more well-understood
8 process. And even to this date, we are still moving
9 along in that process with multiple projects, in
10 Washington state and Texas and Minnesota, Mississippi
11 and New York.

12 And one of the primary reasons we've
13 elected to stay is because of the level of uncertainty
14 determining what requirements would be needed from an
15 environmental impact assessment or impact statement
16 for our projects. So Hydro Green Energy believes that
17 it's very important with respect to this hearing to
18 make sure that there are not overlapping requirements
19 or overlapping regulatory authorities between FERC and
20 MMS.

21 If at some point a system is put into
22 place that would require start-up companies or new
23 technology companies that are trying to develop and
24 commercialize their technologies which have the
25 potential for tremendous benefits for the country,

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1 both in terms of energy independence and on-carbon-
2 emitting energy sources, it would be very
3 disadvantageous to have a duplicative system that
4 required a large degree of expenditures or expenses to
5 be put onto a young company to tackle those types of
6 issues.

7 We are in favor of a programmatic EIS,
8 primarily because we feel it has a lot of advantages.
9 We don't advocate necessarily a case-by-case
10 situation, because of the ability to have certain
11 issues that may apply from one case to the other to
12 selectively not be applied. And we also believe that
13 for any projects that are currently, I guess, inside
14 of the FERC process looking for preliminary permits,
15 this does not hold up -- the programmatic EIS does not
16 hold up any of those projects from going forward.

17 And then lastly, we also advocate in situ
18 studies for marine life impacts and environmental
19 impacts, as opposed to doing laboratory analyses or
20 laboratory studies. As a chemical engineer by degree
21 and, also, a research assistant in college, it has
22 always been my belief that the best data is gathered
23 in real-world scenarios and real-world situations and,
24 therefore, what you actually get in laboratories are
25 not necessarily representative of what you would see

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1 out there.

2 So, you know, we would want to have this
3 occur in any types of studies that go along with the
4 EIS, if it were to impact individual projects, to be
5 done in situ, as opposed to before hand. And that
6 concludes my comments.

7 MR. GASPER: Thank you.

8 We have no other registered speakers. Is
9 there anybody else who'd like to make a comment
10 tonight?

11 (Pause.)

12 MR. GASPER: Is there anybody who has a
13 question to the MMS staff who are here tonight?

14 MR. KROUSE: Any updates on the MOU
15 between FERC and MMS?

16 MS. BORNHOLDT: My name is Maureen
17 Bornholdt, and I'm the program manager for the
18 alternative energy and alternate use program, and I am
19 working with FERC on this MOA. In fact, we're waiting
20 to receive -- we're exchanging drafts, and, I guess,
21 we were probably in our fourth meeting with them when
22 we returned back to Washington. And it's going quite
23 well.

24 MR. KROUSE: Okay. One more question.

25 MS. BORNHOLDT: Sure.

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1 MR. KROUSE: Just ball-park, any idea,
2 around time lines when there may be an estimated
3 resolution or a final agreement in terms of
4 implementing a frame work for regulatory -- who has
5 regulatory authority at the different -- in the
6 different aspects of the alternative energy
7 development offshore?

8 MS. BORNHOLDT: For the new
9 responsibilities that we received under Section 388,
10 our target is to come out with our proposed rule
11 making at the end of the summer. So we -- our plan is
12 to have whatever agreement we have with FERC done
13 before that time.

14 MR. KROUSE: Okay. Thank you.

15 MR. GASPER: Any other questions or
16 comments?

17 (No response.)

18 MR. GASPER: Okay. If not, I'd like to
19 thank you all for coming, and we'll declare the
20 meeting closed. Thank you.

21 (Whereupon, at 7:25 p.m., this meeting was
22 concluded.)

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